

July 22, 2011

I am not a huge fan of advertising, however, I have come to embrace some direct mailing for traffic matters. While I would prefer not placing "advertising material" on the envelope, an order merely requiring the placement would be entirely ineffective without some size and location guidelines. Again, I would prefer no such requirement but as written, the order has little substance as I can print that on an envelope and within the communication itself where it is likely not to be seen or at least noticed.

Quite frankly the proposal is sweeping everyone into the personal injury bucket. [If anyone is interested (and 3 State Bar Presidents and the negligence section of the State Bar weren't), I can regale you with a very personal experience concerning a personal injury solicitation.] I would prefer to see that area dealt with and I believe the 30 day waiting period is at least a step in the right direction. Those letters should contain specific "opt out" language (much like emails) that would allow someone to notify the solicitor and choose not to receive any other contact concerning the issue. I would rather have that language in all advertising matters rather than the "advertising material" language.

Thank you for the opportunity to comment.

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